

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

THURSDAY, THE 1ST MARCH 2007 / 10TH PHALGUNA 1928

Crl.Rev.Pet.No. 908 of 2007

ST.442/2005 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOLLAM

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REVN. PETITIONER: COMPLAINANT

DEVAKI AMMA, SREEDEVI MANDIRAM,
PERAYAM, UMayANALLOOR, KOLLAM.

BY ADV. SRI.JOHN BRITTO
SRI.C.A.RAJEEV

RESPONDENTS: ACCUSED & STATE

1. MANOJ, THAPPATHIL VEEDU,
PALACKAL, THEVALAKARA, KOLLAM.
2. STATE OF KERALA REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR MR. BREEZE

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION
ON 01/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

K.R. UDAYABHANU, J.

CRL.R.P.NO.908 of 2007

DATED THIS THE 1ST DAY OF MARCH 2007

ORDER

The revision petitioner is the complainant in the proceedings initiated under Section 138 of the Negotiable Instruments Act. His complaint has been dismissed under Section 204(4) Cr.P.C.as no process fee was remitted to issue non-bailable warrant to the accused. It is stated that the petitioner was laid up and he could not make arrangements for remitting the process fee.

In the circumstances, the order of the court below is set aside. The court below is directed to permit the petitioner to further pursue the matter. The revision petitioner shall appear before the court below on 24-3-2007. The Crl. revision petition is disposed of accordingly.

K.R.UDAYABHANU, JUDGE

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